

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 92-241-W/S - ORDER NO. 92-523 *lc*
JULY 8, 1992

IN RE: Lockhart Power Company's Application to) ORDER
Transfer the Assets of its Monarch Water) APPROVING
and Wastewater Systems to the City of) TRANSFER
Union, South Carolina.)

This matter is before the Public Service Commission of South Carolina (the Commission) on the Application of Lockhart Power Company (the Company) for approval of the transfer of its Monarch Mills water and wastewater systems to the City of Union, South Carolina.¹ The Company requests that the hearing be waived if there is no customer opposition to the transfer of the system. The April 29, 1992, Application was filed pursuant to S.C. Code Ann. §58-5-240 (1976) and 26 S.C. Regs. 103-821 (1976).

By letter dated May 12, 1991, the Commission's Executive Director directed the Company to publish a prepared Notice of Filing, one time, in a newspaper of general circulation in the area affected by the Application. The Notice of Filing indicated the nature of the Application and advised all interested parties desiring participation in the scheduled proceeding of the manner in which to file the appropriate pleadings and the deadline for

1. Lockhart Power Company provides water and wastewater service to customers in Union County, South Carolina.

filing for participation. The Company was likewise required to directly notify all customers affected by the relief requested in the Application. The Company has filed with the Commission both an Affidavit of Publication of the notice and a Certificate of Notification to customers by bill insert within the time required by the Executive Director's letter of instructions. The Commission received no letters of protest or Petitions to Intervene regarding the Application.

Because there are no intervenors, protestants or other parties of record requesting a hearing, the Commission grants the Company's request to waive a hearing and decide the matter on the basis of the written record. See S.C. Code Ann. §58-5-240(G)(Supp. 1991). Based on its thorough consideration of the Application, the files of the Commission in this and other dockets, and the applicable law, the Commission makes the following findings of fact and conclusions of law.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

1. Lockhart Power Company owns the water distribution system and the sewerage collection and treatment system which provides central water and sewer services to customers in Union County, South Carolina. The Company purchases water from the City of Union and distributes it to its Monarch Village customers. The Company provides water service to 375 water customers and 345 sewer customers in the Monarch portion of its water and wastewater system.

2. The Company and the City of Union have reached an

agreement whereby the Company will transfer the assets of its Monarch system to the City of Union. According to the December 12, 1991, letter from the City of Union to the Company, the City of Union has sufficient excess capacity and adequate personnel to provide water and wastewater service to the Company's Monarch Village customers.

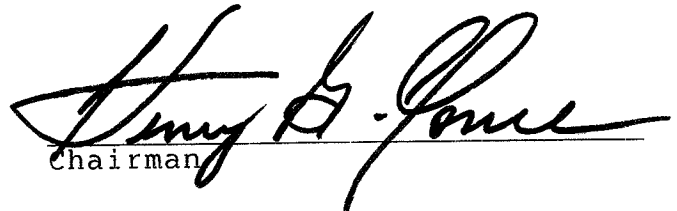
3. The Commission finds that the City of Union is willing to provide water and wastewater service to the Company's Monarch Village customers. Consequently, the Commission concludes that the Company's Application for the transfer of its Monarch Mills systems should be transferred to the City of Union.

6. Accordingly, it is ordered that the transfer of the Monarch Mills water and wastewater systems presently owned by the Company is hereby approved. Further, the Company's certificate to provide water and wastewater treatment to customers in Monarch Village is hereby cancelled.

7. This Order shall remain in full force and effect until further Order of the Commission.

IT IS SO ORDERED.

BY ORDER OF THE COMMISSION:


Chairman

ATTEST:


Executive Director
(SEAL)